

COMMITTEE ON LANDS AND BUILDINGS

May 26, 2004

5:30 PM

Chairman Thibault called the meeting to order.

The Clerk called the roll.

Present: Aldermen Thibault, Roy (late), Gatsas, Osborne, Porter

Messrs: D. Anctil, B. Landry, S. Tellier, R. Johnson, R. MacKenzie,
J. Porter, N. Hebert, T. Arnold, K. Edwards, D. Webster, P. Sampo

Chairman Thibault addressed Item 3 of the agenda:

Communication from Stephen Landry, NHDES, Merrimack Watershed Supervisor and Jennifer Drociak, Manchester Conservation Commission, on behalf of the Black Brook Advisory Committee requesting a special meeting be held to make a presentation on the proposed Black Brook restoration efforts and specifically the potential removal of the Maxwell Pond Dam.

On motion of Alderman Osborne, duly seconded by Alderman Gatsas it was voted to schedule a special meeting on June 22, 2004 at 5:15 PM to hear the presentation.

Chairman Thibault addressed Item 4 of the agenda:

Communication from Dennis Anctil submitting a request from the NHDOT for the conveyance to the State of portions of City-owned land at the West High School Athletic Field.

Mr. Dennis Anctil stated with me here are Bob Landry from the NH Department of Transportation and Ron Ludwig from Parks & Recreation. Basically the request from the state is to acquire portions of the land that now are at the West High Athletic Field and the parking lot next to it. This request is in conjunction with the Exit 5 reconstruction project that the state has going on, which is related to our Granite Street widening project. The project involves relocation of Allard Drive from its current location to an area further to the west, the demolition of a

number of buildings in the area and a lot of utility and bridge work, etc. The state is looking to acquire these areas to allow the construction of the relocated Allard Drive. Currently the state is working on acquiring other parcels in the area also, including the one that has Bogie's on it and at such time as that property is acquired and the existing building demolished, portions of that lot would be deeded back to the City to reconstruct parking at the site with a net increase in parking on the site of about 40 spaces. Again, at this point we are looking to get the Board's permission to give that land to the state with the understanding that in the future they will come back and deed portions of other lands back to the City and there are a number of street discontinuance's in the area that need to happen for the relocation of Allard Drive.

Alderman Gatsas asked how big are the parcels.

Mr. Bob Landry answered initially it was .13 acres that was going to be acquired for that parcel with .23 acres being handed back. We have increased the size of that slightly from the hearing to .23 acres being acquired and .39 acres being handed back trying to maintain the 1.7 ratio between the two.

Alderman Gatsas asked the original plan called for a realignment of Allard Drive and since then my understanding is there was a realignment and it was moved somewhat to a westerly direction.

Mr. Landry stated it has been moved easterly.

Alderman Gatsas stated I didn't hear anything about the property at Bogie's.

Mr. Landry replied Bogie's has been parcel 50, which is where the building sits today and it has always been an acquired parcel. They were looking at relocating onto the remainder of 50 and also 59 and 59A. There is a retaining wall in front of those parcels. They have given us their request to be a purchasing hold – Bogie's that is so we are following that direction from them. As far as Allard Drive down at the Alliance Resource parcel is exactly as you saw it the last time you were at the meeting in that we had shifted it to the east boundary of that property and have been able to maintain all but one space that was originally there by building a retaining wall between that parcel and the above parking lot.

Chairman Thibault stated I know when this park was built, the athletic field for West High School, there were some Federal funds and we can't touch that land or we shouldn't touch that land...not that I am against the project but I want to make sure the City isn't up for any liability here or whatever.

Mr. Landry stated we have coordinated with Alison McLane of DRED for that issue and that is why specifically we are replacing the parking and doing that work and also the 1.7 came from her in a memo dated January 23, 2001.

On motion of Alderman Porter, duly seconded by Alderman Osborne it was voted to recommend that portions of City-owned land at West High School Athletic field be conveyed to the state with the understanding that in the future the state will deed other lands to the City.

Chairman Thibault addressed Item 5 of the agenda:

Communication from the Tax Collector relative to land on West Haven Road requesting the committee determine whether it is surplus to the City's needs and if so, dispose of it in the most appropriate manner according to RSA 80:80 I, II, IIa and III.

Alderman Osborne stated I have a question for Mr. Tellier. How many square feet are we dealing with?

Mr. Steve Tellier responded 872.

Alderman Osborne stated so really to try to determine a market value per say is not possible.

Mr. Tellier responded we are reporting that this land has no value and that it should be offered to the abutters.

Alderman Roy stated this is in Ward 1 and I am incidentally aware of the size of the property and what is happening. The abutter to the north just built a long fence along the property to keep the leaves, water and debris out. This is the type of property that should be in private control and not in the City's. In the past according to the neighbors people have approached the City to try to purchase this land up until about five years ago and they were always turned away. This would be something that we should get back in the taxpayer's hands.

Alderman Porter stated perhaps the City Clerk's Office could send a letter to the three abutters and ask them to make an offer and sell it to the highest bidder I guess.

Deputy Clerk Johnson stated the Clerk has no objection to doing that if the Committee decides to do that but I am thinking that if the Assessors are much more familiar with it perhaps they would be the better source to do that letter and

get responses and bring them back to the Committee. They can then give you opinions on what those responses are as well.

Alderman Gatsas asked why wouldn't it make sense to extend that lot down to West Haven and split the parcel so all of the abutters can get a piece.

Mr. Tellier answered I was trying to keep it simple.

Alderman Gatsas asked what are we talking per piece - \$1,000.

Mr. Tellier answered I really don't know.

Alderman Gatsas asked why wouldn't we contact the two abutters and ask if they wanted to subdivide it down the middle as long as they pay for the cost. We could have them submit a bid. It would certainly make sense to extend that line.

Mr. Tellier answered that is up to the Committee.

Alderman Gatsas I would like to move to have the Assessor's Office contact the three abutters about subdividing the parcel.

Alderman Roy stated I would like to reference that there have been issues regarding dumping and water on that property and the young lady who owns property 39 has expressed no interest in purchasing the property but the idea of declaring it surplus was just to keep the expenses out of the City's hands and deed it over to a natural abutter. If we can divide it up equally and the cost is borne by the taxpayer then I think we should go that route.

Alderman Porter duly seconded the motion.

Ms. Thibault asked can we get a motion to table this and have the Assessor's come back with a recommendation.

On motion of Alderman Gatsas, duly seconded by Alderman Osborne it was voted to table this item.

Chairman Thibault addressed Item 6 of the agenda:

Communication from John Gadd requesting to purchase property located at 398 Hanover Street (Map 289, Lot 15).

The Clerk noted that additional information was handed out this evening regarding this item.

Mr. Tellier used the GIS system to show the Aldermen where the property was located.

Joan Porter, Tax Collector stated the brick house to the west of the lot is a two family, which he said in his letter and he is looking for it for the parking.

Alderman Roy asked has any price been offered.

Deputy Solicitor Arnold stated ordinarily the Board would send it out to some type of public auction for public bid however if the Board found just cause they could deal with an abutter.

Chairman Thibault asked so it could be sold to the abutter.

Deputy Solicitor Arnold answered based on the proper findings; yes.

Alderman Roy asked has anyone discussed with the abutter the cost to the City so far.

Ms. Porter stating no one has discussed back taxes with them at all. Normally when we dispose of a property we don't go into the back tax issue because in this case it was a demolition process.

Alderman Porter moved to sell the property to Mr. Gadd for \$5,000.

Alderman Osborne asked can we put the same notice out to the other two abutters as well.

Chairman Thibault stated I have no problem with that if that is what you want. Do you want to make that part of your motion, Alderman Porter?

Alderman Porter asked how would that read then. Offer it to everyone for \$5,000?

Alderman Osborne stated well we can offer it for \$5,000 to the abutter and if the other two are interested...

Alderman Porter interjected there hasn't been an offer yet to my knowledge.

Alderman Osborne stated well if there is and all three of them are interested...I will make the motion.

Chairman Thibault asked a motion for what.

Alderman Osborne answered to put it out to bid.

Mr. Tellier asked are you asking that a letter be sent to all three abutters offering it for a minimum price of \$5,000.

Alderman Osborne answered yes.

Chairman Thibault stated yes and if two of them want it then...

Mr. Tellier interjected it would go to the highest bidder.

Alderman Osborne stated I just figure for legal reasons that would be the best way to do it.

Mr. Tellier stated it has just been my understanding that it has been offered on previous occasions. The other two abutters expressed no interest at that time. The abutter to the left transferred property...the original owner passed away and the current owner of record has also expressed interest. The City has received interest from the same single abutter on two different occasions.

Alderman Roy asked, Mr. Arnold, how soon will we be going out to bid with other surplus property to auction.

Deputy Solicitor Arnold answered we just auctioned a group of them a few months ago. I don't know how soon we will gather another group sufficient enough to justify going out to auction.

Chairman Thibault asked should we go back to the motion that Alderman Porter made or do you want a letter sent to all three abutters.

Alderman Osborne replied I still think that when things come to view like this sometimes a lot of people change their minds. They might not have wanted it then but maybe now they do. They don't have to build on it but maybe this guy in the back might want it just for the sake of owning it.

Chairman Thibault asked so your motion is to send a letter to all three of them to see who is interested.

Alderman Osborne answered yes.

Mr. Tellier asked would the letter come from the Office of the City Clerk.

Chairman Thibault answered I think it would come from you.

Mr. Tellier asked does the Assessor have the ability to do something like that.

Chairman Thibault replied didn't she just say you had the authority to do it.

Alderman Roy stated that was on the last property.

Mr. Tellier stated you are asking us to place a value on it and then you are asking us to sell it. I think that is two separate functions.

Chairman Thibault asked do you want the City Clerk to send it out then.

Alderman Porter stated we have to be a little bit specific with some wording. Working it out...this has been kicked around at five different Lands and Buildings Committee meetings over the last 10 years. I think we have to have some sort of specificity in the letter. If you are going to send it to all three, send it out and ask them to bid and whoever is the highest bidder give it to them. I don't know other than that how to word it. I can see this thing coming back to this Committee in another month and somebody telling us we really haven't figured out how the wording is going to be and I think we should just...

Alderman Osborne interjected is there a price we can put on it.

Chairman Thibault stated he put a price of \$5,000 on it.

Mr. Tellier stated I did but Alderman Porter raises a distinct issue. That being that its highest and best use is really to go to the three abutting properties and not only that but I have been informed on several occasions that the City is released from liability when we get it back into private hands so the City would have some measure of savings also by taking that off the exempt status and putting it back on the tax roles so with Alderman Porter's suggestion that it go to the highest bidder, that may be okay.

Chairman Thibault asked can I get a second to that motion.

Alderman Osborne asked is this without any amount on it.

Alderman Porter answered without a minimum bid, correct.

Alderman Osborne asked so if someone comes in at \$1,000 that is what we are going to take.

Deputy Clerk Johnson stated I would suggest that the Clerk issue the letter offering the property to any of the three abutters advising them that we are looking for the highest bid and that the Board of Assessors has indicated a minimum value of \$5,000, although that does not require that the bids received be that high. That would leave it wide open but it would give them some idea of what you are looking for for the property.

Alderman Gatsas stated we should state that the minimum bid has to be \$5,000.

Deputy Clerk Johnson responded it is a policy decision of the Committee and I guess there are some differences there. We could do it either way. We could indicate that the City is looking for a minimum bid of \$5,000 and if we don't get a response we can go back out again or do as Alderman Porter suggested and indicate what we are looking for but state that is not a required bid.

Chairman Thibault replied that is a good idea. I think it should be in the letter that the City is looking to let it go for \$5,000 or better.

Alderman Osborne asked sent to all three abutters.

Chairman Thibault answered correct.

Deputy Clerk Johnson stated so long as whoever made the motion and seconded the motion agrees to that change that is fine.

Chairman Thibault asked Alderman Porter are you all set with that.

Alderman Porter answered yes to get this thing moving.

Alderman Osborne duly seconded the motion.

Deputy Clerk Johnson stated my understanding is that we will send a letter out offering the property to all three abutters to bid on the property with a minimum bid of at least \$5,000.

Chairman Thibault called for a vote. There being none opposed, the motion carried.

Chairman Thibault addressed Item 7 of the agenda:

Communication from Manchester Neighborhood Housing Services, Inc.
advising of their interest in purchasing the former Brown School property.

The Clerk noted that a letter from MHRA was handed out this evening.

Mr. Robert MacKenzie stated I would suggest perhaps that you may consider tabling this. There was an agreement previously with the MHRA and Families in Transition to purchase and rehab the building. Subsequently that particular plan didn't go through. I was aware that there were other interested parties and that is why I recommended that it go out to proposal to anybody who is interested. The MHRA did call me today and felt perhaps that they still had a valid agreement, even without Families in Transition, and I think perhaps that that original agreement or contract be reviewed by the Solicitor before the Committee makes any recommendation on sending it out to RFP.

Alderman Roy moved to table this item.

Alderman Gatsas asked what was the date of the agreement.

Mr. MacKenzie answered I don't have the exact date but it was probably 18 months ago.

Alderman Gatsas asked can somebody justify to me how they feel they have a valid option on the property.

Mr. MacKenzie answered I would leave that to the MHRA if you want them to make a pitch tonight or if you want the Solicitor to review it first. I am sure they would be willing to discuss the matter tonight.

Alderman Gatsas stated I guess my question is why do these things appear on agendas if nobody is prepared to speak about them or to have the information before us or a copy of the contract so we can make a decision. I am not directing that at you, Mr. MacKenzie, but I would think that somebody would at least have all of the information if it is going to come before us.

Chairman Thibault responded well Manchester Housing is here if you want to listen to them.

Alderman Gatsas stated I don't have a copy of the contract.

Alderman Porter asked, Mr. MacKenzie, who was this agreement with.

Mr. MacKenzie stated it was an agreement between the City and jointly the Housing and Redevelopment Authority and Families in Transition.

Alderman Porter asked and there was a performance to close on or before...

Mr. MacKenzie interjected to my knowledge there was not. I haven't looked at the contract recently.

Alderman Porter asked who would the RFP's go to.

Mr. MacKenzie answered the Board would actually have a couple of choices in my mind. If it was not going to MHRA they would have two choices. One they could just offer it on the open market for fair market value for market rate housing. Secondly, they could offer it for affordable housing with the caveat that they pay property taxes. Thirdly they could offer it for affordable housing without any stipulation on property taxes. Those are what I think would be the three options that the Committee and the Board would have.

Chairman Thibault asked would you like to hear from Manchester Housing.

Alderman Gatsas stated I would like to see a copy of the contract.

A copy of the contract was provided to Alderman Gatsas.

Alderman Porter asked if this was between them and Families and Transition and Families in Transition has bowed out then really there is no agreement is there.

Mr. MacKenzie responded I cannot answer that. It does look like there was a drop-dead date of December 2004 between three parties.

Alderman Porter stated okay but the person purchasing it has bowed out in essence.

Mr. MacKenzie replied one of the two parties. I would just be hesitant to answer that question because it is a legal one.

Alderman Gatsas stated I guess I would assume that somebody has a release from Families in Transition.

Mr. Ken Edwards from the Manchester Housing and Redevelopment Authority stated there was a letter sent to City staff from Families in Transition. After we did our initial feasibility analysis it was determined that the project would be too small for both of us to on a joint venture basis provide housing units on the site. With the soft costs involved in these projects it is very difficult to do a project that just has a few units. I think that Families in Transition was going to have approximately eight units on the site and we would wind up with about twelve elderly units. When we realized that it wasn't large enough to proceed, we

notified the City. We sent a letter and Families in Transition sent a letter indicating that it wasn't feasible and that we would like to pursue an all elderly housing project on that site. We have been unable to meet with City staff based on schedules and workload and so forth to try and amend the existing purchase and sales agreement so that we could seek funding in order to do the project on an elderly housing basis and I think that is where we are. We feel that we have a purchase and sales agreement. We have notified the City that we couldn't proceed on the original basis and we would like the opportunity to try and convince you that elderly housing on that site would be good for the neighborhood and we would like the opportunity to proceed on that basis and we feel we have been operating in good faith by notifying the City and saying let's meet and talk about whether we can go forward on our own without Families in Transition.

Alderman Gatsas asked can you tell me who you sent those letters to and who received them and who you have been talking to.

Mr. Edwards answered the Planning Director, Bob.

Alderman Gatsas asked how long ago was the letter sent.

Mr. MacKenzie answered usually I pass that along to my staff but I understand it may have been about six months ago.

Alderman Gatsas asked do you have a copy of the letter you sent to the City.

Mr. Edwards answered yes.

Alderman Gatsas asked what is the date.

Mr. Dick Webster stated I am the Housing Development Manager with the Housing Authority. The first letter was dated August 26, 2003.

Alderman Gatsas asked when was the letter sent by Families in Transition.

Mr. Edwards answered September 3, 2003.

Alderman Gatsas asked can you explain to me why you would send your letter before Families in Transition sent their letter.

Mr. Edwards answered we had discussions with Families in Transition after we did the feasibility analysis and we notified the City that it wasn't viable for both of us and Families in Transition felt that they needed to write a letter indicating that they still had an interest in the project but understood that it wasn't viable for both

of us. They felt they needed to be on record too so they wrote their letter after we had written ours.

Alderman Roy stated I have a question for either Bob or MHRA. Section 6.02 has 120 day due diligence period. Has that been accomplished or was that put on hold?

Mr. Edwards responded it was put on hold because of the viability issue for the joint venture.

Alderman Gatsas asked if this contract was signed December 5, 2002 how did you not follow into your due diligence period before September.

Mr. Edwards answered we spent that initial time doing a feasibility analysis on the property. It just took that time to come to that conclusion.

Alderman Porter stated I am not inclined to do anything until we find out if there is indeed a valid agreement. Reading this, this is an and. It doesn't say and or and/or or anything of that nature. If one of the parties bows out it is my belief and I guess I would have to bow to the City Solicitor's Office but before I do anything I would like to do that and I would like to table this until we get a report from the Solicitor's Office stating whether there is indeed a contract. If there isn't then we are really starting from scratch and certainly you could be part of any new proposal given to the City. I would move to table this.

Chairman Thibault asked Mr. MacKenzie would you be able to get together with the Solicitor and figure this thing out and bring it back to the Committee at a later time. We can table this for now.

Alderman Gatsas stated I can tell you from this Alderman's feelings any agreement that is extended the due diligence period ends. That opportunity was availed to you for the better part of two years as a due diligence so if you are looking for a due diligence I can't recommend that.

Chairman Thibault asked do you want to table it and get some more information from the Solicitor.

Alderman Osborne asked this \$400,000 was that put in there back on December 5, 2002.

Mr. MacKenzie answered yes.

Alderman Roy asked was the escrow paid to Sheehan, Phinney, Bass and Green. Is that being held? The \$1,000 from Section 3.02?

Mr. Edwards replied I am not sure. I can't answer that. I don't remember.

Alderman Gatsas stated my recommendation to the City Solicitor is that they find out from Sheehan, Phinney, Bass and Green and if the receipt of \$1,000 is not in their hands dated 12/5/02 then the agreement is in breach and we should put it back out to RFP.

Alderman Porter stated I guess that is really part of my motion. That would be part of determining whether there is, indeed, an agreement or not and that would be part of finding out where everything lies. I don't know if anybody seconded it, but I made a motion to table.

Chairman Thibault stated let's give it to the City Solicitor to find out all of the particulars on it and come back to this Committee to let us know what is going on with this.

Deputy Solicitor Arnold stated we could certainly come back with an opinion as to whether it is a valid agreement or not

Alderman Gatsas stated I think we should put Sheehan, Phinney on notice that if they don't have receipt of that \$1,000 there is a...

Deputy Solicitor Arnold interjected we would certainly check on that as a matter of course.

Alderman Gatsas stated they should be put on notice that if it is not there and there is a contention of this agreement that they could be liable for it as being the escrow agent.

On motion of Alderman Porter, duly seconded by Alderman Roy it was voted to table this item pending a report back from the Solicitor as to whether or not there is a valid agreement with MHRA.

Chairman Thibault addressed Item 8 of the agenda:

Communication from Steve Mscisz, Manager of the JMS Valley Grove Apartments advising of his interest in improving the railroad bed located adjacent to the property at Valley and Grove Streets.

Alderman Osborne moved the item for discussion. Alderman Roy duly seconded the motion.

Alderman Osborne stated Mr. MacKenzie we had discussed this a couple of meetings ago with Luigi's Pizza – the railroad track bed here. What these people are trying to do is just clean up the area. I thought we had this go through the Solicitor and so on for a license fee.

Mr. MacKenzie responded this is actually, I believe, the abutting property. I don't have any issues as it is kind of a mess back there. I don't know how we would actually allow an independent organization to go on to the property and make some improvements. I am sure they are just trying to clean it up but another portion of the agenda deals with the license issue and I believe that is the best way to approach it because long-term we may need this area for a trail system.

Alderman Osborne replied I thought we went through this with Luigi's.

Mr. MacKenzie stated we went through it with Luigi's next door. I think it is appropriate to have a license on at least half of the rail so they can have some additional parking. In this case I believe this group is just looking to make some improvements to make it look better.

Alderman Osborne replied exactly. So would this be another issue?

Mr. MacKenzie responded I don't think we need a license for that. Maybe just some approval by the City in cleaning up the area. We do have private groups that clean up various rights-of-way in the City from Commercial Street to Canal Street and I think if the City just granted them the right to clean it up I don't see an issue with that.

Chairman Thibault asked nothing binding though that would impede the City when the City wants to make that rails and trails or whatever there would be no problem right Ron.

Mr. Ron Johnson stated I want to make a couple of comments. I think there are four requests for this particular line that runs from...it crosses over Mammoth Road and eventually ends on Willow Street. We are getting a lot of requests from abutting property owners so I think it would be good if we could work with the Solicitor's Office and work on a standard policy on how this should go about. The property was purchased or came to the City from the NH DOT so they have restrictions if it is sold. They are also maintaining a 30' easement across the property and then there are some other restrictions on work that can be done there. On this particular request they are also looking to take up the rails and ties and that

brings in to play some liability issues so the Solicitor, again, might want to have some language in there about liability. A lot of times there might be hazardous materials in these areas so just to cover the City I think we should work with the Solicitor.

Chairman Thibault asked so you are suggesting that you people work with the City Solicitor and come up with some mechanism to do this.

Mr. Johnson answered right. I think there are three on today's agenda and we have another request I think coming in in a month or so with another property so we should have a standard policy to deal with this.

Alderman Osborne stated that is what I wanted to find out. Being in my ward what could they do and what can't they do? Like you said we need some guidelines as to whether they can put Elm trees there or what they can't and things of that sort. If it is a matter of just making it barren land well that is another story. I guess we have to come up with some sort of a guideline.

Chairman Thibault stated well if Ron Johnson is going to be sitting with the City Solicitor I am sure they are going to come up with a solution to protect the City's interest.

Alderman Osborne replied I am sure but I am just saying that this is what we have to have. How long would this take?

Mr. Johnson stated we worked with Tom on a property on the other side of Mammoth Road – the Marjam Supply Company where they had a request. Maybe I could defer to Tom. I know it did take awhile to get that resolved but there they were actually doing some construction within the corridor. I think the state wants to make sure that the 30' swap is always kept so there be a continuous link to create a trail in the future.

Alderman Osborne asked so no obstacles. No trees, no obstacles. The only issue now is the railroad tracks and whether you can pick them up or you can't for liability purposes.

Mr. Johnson answered that is correct.

On motion of Alderman Osborne, duly seconded by Alderman Porter it was voted to table the item and have Parks and Recreation and the Solicitor come back with a standard policy for these requests.

Chairman Thibault addressed Item 9 of the agenda:

Communication from Norm Hebert, Trustee of NHDC Realty Trust, seeking formal acceptance of a proposed ROW at 2989 Brown Avenue (Map 750, Lot 30A) as promised to him by the City on June 26, 1985.

Mr. Norm Hebert stated I am the Trustee of NHDC Realty Trust. I trust at this point that you have a copy of the correspondence and you have a copy of the plan dated May 20, 1985 and you have a copy of the deed conveying that piece of property to the City. Is there anyone here from the Highway Department or the City Solicitor's Office or the Building Department?

Chairman Thibault responded the Solicitor's Office is here. As a matter of fact, I was just going to ask him a question.

Mr. Hebert stated I was also told that a Dennis Anctil from the Highway was going to be here tonight as well.

Chairman Thibault replied he is here also.

Mr. Hebert stated what I would like is probably about five minutes to set the stage for what my request is here if that is acceptable to the Chair.

Chairman Thibault responded before we get into that I would like to ask a question. Tom, last night I was talking to Tom Clark and he tells me that there is a question on whether the City has ever promised anything to anyone.

Deputy Solicitor Arnold replied I certainly think that is the case. This particular land has been through litigation and Superior Court, which the City prevailed on. As I understand the request and I am not sure I do but as I think I understand it he is basically asking you to take a small square of land and add it to the right-of-way, which I don't think is in the City's interest.

Chairman Thibault stated I don't know if you want to go through your whole spiel.

Mr. Hebert responded yes Mr. Chairman I think that there are times in our lives when we are asked to step up and really search our souls and our morale consciences to make the right decision and I think you guys are going to be tested tonight with this.

Chairman Thibault asked does the Committee want to hear his proposal.

Alderman Osborne stated not if it is that long.

Alderman Gatsas asked Mr. Arnold could you be a little more defined in the comments you just made.

Deputy Solicitor Arnold replied as I said my understanding of the proposal is that a small square of land that essentially borders the brook and Brown Avenue be added to the Brown Avenue right-of-way. That would make the Brown Avenue right-of-way irregularly shaped and I don't think it would be in the City's best interest and it might be a question more appropriate for the Highway Department who deals with roads.

Alderman Gatsas asked can you tell me...Brown Avenue is an awful long street. Can you tell me specifically where it is Mr. Arnold?

Mr. Tellier stated I will pull it up on the GIS system for you.

Alderman Gatsas asked where is the parcel of land.

Mr. Tellier answered you have it in front of you on the screen. In red identified is Map 750, Lot 30A, which is the subject parcel that is being discussed. The person speaking to my left I understand owns the parcel abutting it just above and beyond.

Alderman Gatsas asked that is heading in what direction.

Chairman Thibault answered southerly.

Alderman Porter asked why would you want a right-of-way. What is the purpose?

Mr. Hebert answered I already have the right-of-way. What I am looking for is frontage --my frontage back. In 1985 I used to own both of those lots -- Lot 30A and Lot 30B. The City came to me in 1985 saying we need to rebuild the old Brown Avenue bridge. Not the one that was reconstructed just recently but the one that was reconstructed before that and what they wanted were certain temporary and permanent easements to get back there to rebuild the bridge and they wanted a donation of a piece of property -- this small little square approximately 26 1/2' x 28', which is Lot 30A as shown on the GIS map. These easements were negotiated by Mr. Stan Kosowicz, formerly of the Highway Department and Mr. Steve White who is the City's consulting engineer. I have an affidavit and a deposition from Mr. White, who is the City's consulting engineer that clearly says that when the City came to me and wanted that little piece of property what I didn't want to do was give up my frontage because I was in the process of subdividing that land and I knew that I was going to want to use it in the future and I had 56 1/2' of frontage and I only needed 50' of frontage for a legal

lot so I came to the City and said look I will give you this piece of property, I will donate it to you free of charge but what I want is some sort of a guarantee that my frontage is not going to be reduced based on my benevolence to the City. So what I was given was a copy of this plan by the Highway Department and I believe that Mr. Anctil will verify this because I was in to speak with Frank Thomas again this morning that clearly shows the old frontage. This is the property here. The old frontage is highlighted in yellow and the proposed right-of-way is highlighted in pink. The existing right-of-way had about 56 ½' of frontage on Brown Avenue and the proposed right-of-way actually sits on a diagonal like this such as it was represented to me by Mr. White and by Mr. Kosowicz of the Highway Department that by donating this land to the City I would not be losing frontage but I would actually be gaining frontage because the right-of-way was going to change based upon the plan. Well nothing happened for a long time and this past year I went back to the City and asked for a building permit to use that property and the Building Department said that I was short frontage. Well this was kind of a long story because the City lost the subdivision review from back in 1987 so there was no way to prove whether I had or I didn't have the frontage so what I did is I brought to them a copy of this plan as brought to me by the Highway Department at the time and it clearly shows what the existing right-of-way was and what the proposed right-of-way was going to be based on my conveyance. Again, you have a copy of the deposition of Steve White and if you want to see what this really boils down to in the two minute version I just ask you to take a look at attachment White 5, which is just one page or one and a half pages at the end of this affidavit and it will tell you clearly exactly what happened at the time. Now two out of the three parties are here and say exactly the same thing. I say exactly the same thing as Steve White says, the third party is deceased and no longer here so I am just asking the City to formerly adopt what was promised to me prior to the time I made this benevolent donation to the City back in 1985 so I can have my frontage back so I can go back before the Building Department and have some kind of a shot of making reasonable use of my property.

Alderman Gatsas asked Mr. Hebert can you tell me why this affidavit from Mr. White isn't signed.

Mr. Hebert answered actually it is part of a deposition and the entire deposition contains the affidavit. When they put the deposition together apparently an unsigned copy of that affidavit was attached to the deposition but if you read the deposition it clearly refers to the exhibit. That is my best explanation.

Alderman Roy asked is that the full deposition.

Mr. Hebert answered yes.

Alderman Roy asked can we look at that.

Mr. Hebert answered yes. I apologize that I don't have copies for everybody but I was told that I was going to be informed in advance of the meeting and I called yesterday and was told you are on for tomorrow night we just forgot to notify you.

Alderman Gatsas asked Mr. Arnold now that I have seen this deposition can you tell me what the matter of this was in the court system. Who prevailed?

Deputy Solicitor Arnold answered the City prevailed. It was a matter as I understand it and I wasn't the attorney who tried it but as to whether he could subdivide or I should say get a variance for using the non-conforming lot that now exists. That is the lot that runs up along Cohas Brook into Pine Island Park.

Alderman Gatsas asked who currently owns Lot 750, 30A.

Mr. Hebert answered a third party.

Alderman Gatsas asked who is the third party.

Mr. Hebert answered Longjean Pelletier is his name.

Alderman Gatsas stated and you said you owned that in 1985.

Mr. Hebert responded yes that is correct.

Alderman Gatsas asked and you sold it to him.

Mr. Hebert answered I sold it to another party who subsequently resold it to Mr. Pelletier.

Alderman Gatsas asked how would you assume that the City was going to give you an easement or a right-of-way.

Mr. Hebert answered the City doesn't have to give me anything. I gave the City on five different occasions donations of my property and easements across my property for nothing. I am not asking for any easement from the City. I am asking for this Board to approve the proposed right-of-way frontage that was given to me prior to the time that I signed the deed giving that piece of property to the City based upon the idea that all along everyone knew that I was going to use that property in the future and that I didn't want to give away my frontage.

Alderman Gatsas asked when did you sell Map 750, Lot 30A.

Mr. Hebert answered that was given to the City on June 26, 1985.

Alderman Gatsas responded I thought you said you sold it and subdivided it.

Mr. Hebert replied I think we are confusing Lot 30 and Lot 30A. Lot 30 is the one that was subsequently sold and resold to Mr. Pelletier. Lot 30A is the property that was donated to the City in 1985.

Alderman Gatsas stated so the City owns Lot 30A.

Mr. Hebert responded I donated it to the City in 1985. That is correct.

Alderman Gatsas asked is that surplus property. Does anybody know?

Deputy Solicitor Arnold answered I don't believe it is surplus property. It was taken for the purpose of...

Mr. Hebert interjected it was donated Sir. It was not taken. It was donated.

Deputy Solicitor Arnold stated the property was to be used for the widening of the Brown Avenue bridge across Cohas Brook and I believe part of the bridge abutment and other structures are actually on that lot.

Mr. Hebert replied the new bridge abutment and the new bridge structures – that is correct.

Alderman Gatsas stated this is not a court. This Committee will control or the Chairman will control the dialogue. He will call on you when he wants you to speak.

Mr. Hebert responded I am sorry, Mr. Chairman.

Alderman Gatsas asked, Mr. Arnold, can you tell me how much of that Lot 30A is surplus or if any of it is.

Alderman Gatsas moved to table. Alderman Porter duly seconded the motion.

Mr. Hebert stated Mr. Chairman and members of the Board the only situation is that I have just recently taken a three month contract and I am going to be out of town until September 15 in Boise, Idaho and it is going to be very difficult for me to get back during the week over that period. If you were going to table it I am just wondering what the maximum length of time that might be.

Alderman Osborne stated I have a question before we table this. This particular piece that you are talking about you used to own right?

Mr. Hebert responded yes.

Alderman Osborne asked and then you gave it to the City.

Mr. Hebert answered with the understanding that I wasn't going to lose frontage.

Alderman Osborne stated they put the bridge up and now I hear there are some sort of structures from the bridge on to that property.

Mr. Hebert replied that is correct.

Alderman Osborne asked so what would you want that piece of land for.

Mr. Hebert answered I don't want that piece of land. All I want you to do is adopt the right-of-way as it was proposed on this plan back in 1985.

Alderman Osborne asked what do you need a right-of-way for if there are structures on that piece of property.

Mr. Hebert stated I think there is some confusion.

Chairman Thibault stated there is a motion to table.

Alderman Osborne asked can I finish my question. Just a simple question. Why would he want this back?

Mr. Hebert answered I don't want it back. All I want back is the frontage. By you just adopting this purple area here as the new right-of-way...

Chairman Thibault interjected there has been a motion to table and that is non-debatable. I am going to call for a vote. There being none opposed, the motion carried.

Chairman Thibault stated we will research this and find out what the problems are and we will make a note that you will not be back until after September 15 and hopefully by then we will have all of the particulars and now where we are going.

Chairman Thibault addressed Item 10 of the agenda:

Communication from Gerald P. Cloutier requesting to purchase a parcel of land located at the intersection of Maple and Somerville Streets.

The Clerk noted that reports from Planning and Assessors were handed out this evening.

Mr. Johnson stated this is that same rail corridor that we were just speaking of a few minutes ago – the former Portsmouth Branch. On this one we just again mention that it was transferred to the City from the state and there are certain restrictions. I haven't seen the Planning Department's response but I think they were looking at at least providing a 30' width that could go to this property owner with a reversionary clause. I think that is another issue that we need to work with the Solicitor on to develop that consistent plan.

On motion of Alderman Roy, duly seconded by Alderman Osborne it was voted to table this item pending a standard policy from the Parks and Recreation and City Solicitor's Office.

Chairman Thibault addressed Item 11 of the agenda:

Communication from Jean Gagnon requesting to purchase a parcel of land located on Michigan Avenue (Map 0246, Lot 0001).

The Clerk noted that a report from the Assessor's Office was handed out this evening.

Alderman Gatsas asked how much is it worth.

Mr. Tellier answered \$3,000 to \$3,500. If you want to grant me a moment I will put it up on the screen.

Alderman Gatsas moved to send a letter to the abutters telling them that it is being declared surplus and the minimum bid will be \$3,000. Alderman Osborne duly seconded the motion.

Chairman Thibault called for a vote. There being none opposed, the motion carried.

Chairman Thibault addressed Item 12 of the agenda:

Sale of tax-deeded property on Page Street and Michigan Avenue (Map 246, Lots 3, 6 & 7).

Mr. Tellier stated there is an issue that I have to confer with the...there was an initial request from my understanding or an offer of \$57,000 but when it was found out that there were too much wetlands...this encompasses this lot and the two behind it. If you can see this area that is slightly discolored, there is a significant amount of wetlands on that site, however, what has changed recently is the parcel...this parcel right here and the parcel behind it has now attained quiet title to half of the discontinued street. Therefore, the City would be entitled to the other half of that discontinued area. I regret to request that this be tabled but I am going to have to confer with the Highway Department regarding whether or not with the additional 25' there is room to put a house on that, which would significantly improve the market value of that site.

Alderman Gatsas moved to table the item.

Alderman Osborne asked is this the same property we had up for sale for \$60,000.

Mr. Tellier answered that is correct but they had a wetlands certificate. With gaining access to that additional 25' there may be an ability to improve that site and I will try to determine that.

Alderman Osborne duly seconded the motion to table. Chairman Thibault called for a vote. There being none opposed, the motion carried.

Chairman Thibault addressed Item 13 of the agenda:

Communication from Lloyd Chipman requesting to purchase a City-owned parcel located off Old Wellington Road and Bridge Street Extension (Map 605, Lot 15).

Mr. Tellier stated if I may direct you to the packet you have, the Assessors don't show this on any of our tax maps. The map that has been presented to you was developed by the Department of Transportation. Do you have this map in front of you? We have just been informed by the DOT that those parcels...the small rectangle at the bottom is owned by the state and the skinny parcel is owned by...they have assigned its ownership to the City. My recommendation based on its slim size and that it is only good to that abutter would be to offer it for a minimum value. I haven't...this was just turned in to me and we have very few sales of fairly restricted parcels like this. My best recommendation is a purchase price of a couple of thousand dollars.

Alderman Roy asked could you pull up the aerial of the intersection and Wellington Road and Bridge Street Extension. While he is doing that I would like

to ask the Solicitor if this would then grant the abutter frontage on Bridge Street Extension and possibly Wellington Road if he acquired the state owned property.

Mr. Tellier stated as you can see in the picture before you the large L shaped right-of-way was the information we had. We don't show what is before you on the state produced map. To us it was previously known as a full state right-of-way.

Chairman Thibault asked if he acquired that he would have access to Bridge Street wouldn't he.

Alderman Porter asked Steve are you recommending a price of \$2,000.

Mr. Tellier answered it is a very miniscule amount.

Alderman Porter asked are you recommending a price of \$2,000.

Mr. Tellier answered I would withhold judgement at this point. I need to find out as far as access on to Bridge Street. I think that is a restricted curb cut area because of Wellington Road and the off ramp – that whole area. On certain class roads they have restrictions on the curb cuts and I believe this is one but allow me the opportunity to get that information.

On motion of Alderman Porter, duly seconded by Alderman Osborne it was voted to table this item.

TABLED ITEMS

Assessor Tellier stated I would note that on Item 14 you do have submitted to you, and we did sometime ago on Goffs Falls School, the Moore Center, there was a report before you. From my memory Alderman Porter asked for a write up on it's potential value. Because it's such a unique property, being a former school and so few sales, we utilized the cost approach to determine a value on this building. I would note that the current lease of \$1.00 is existing for some years. It's on the information before you and that the Moore Center Services provides a substantial benefit to the community. They're looking to purchase the building for ownership outright. There's no one here at this time from the Moore Center but they did have a presentation before this committee at a previous time.

On motion of Alderman Roy, duly seconded by Alderman Porter, it was voted to take Item 14 off the table.

Report, if available, from Planning, Assessors, Tax and Solicitor regarding

transferring the former Highland Goffs Falls School to Moore Center Services, Inc.

Alderman Porter asked is the opinion of value supposed to be \$1 million to \$1.2 million?

Assessor Tellier stated the report before you...we don't have any comparable sales. What's listed before you is a cost approach using a significant amount of depreciation. Were the parcel to be offered for sale on the open market, this might be in a range that it might go for. However, it is subsequently leased for I believe it's 20 years. The current lease runs through January 2022. So if you were capitalize the \$1.00 a year, it would have a negligible value. This was simply a cost approach and we don't have any comparables. And again, I would note that as in past instances where it's come before the Board, this facility provides a significant service to the community as a charitable entity, a non-profit entity, I might add.

Alderman Porter stated I think that decision is going to have to be made as to whether this is what we do or not with the...

Chairman Thibault asked do we just send it to the full Board?

Alderman Porter stated I'll make a motion that we send it to the full Board with the recommendation that we do that. The price, it's not relevant because they've got a lease on it.

Chairman Thibault asked can I get a second to that motion? I'll make the second that it goes to the full Board.

Chairman Thibault called for a vote on the motion. There being none opposed, the motion carried.

On motion of Alderman Gatsas, duly seconded by Alderman Porter it was voted to remove item 15 from the table.

Disposition of property on South Mammoth Road (Map 796, Lot 14).

Alderman Porter moved to declare the property surplus and that it be sent to public auction with a minimum bid of \$164,400.

Alderman Gatsas asked what is the zoning there.

Mr. Tellier answered I believe it is industrial.

Alderman Gatsas asked can you show me the map.

Mr. Tellier answered it is already up there. As you can see this is towards the end of where South Willow and South Mammoth meet. You can see where they converge at the bottom of the map before you. There are several other industrial buildings in that area.

Alderman Gatsas asked what is the lot going towards the blue water.

Mr. Tellier answered it is owned by Public Service.

Alderman Gatsas asked what is the size of that.

Mr. Tellier answered I don't have that in front of me. We could estimate. If the subject property is approximately 2.76 acres that looks to be a little more than double. It is probably 6 acres, maybe a little more.

Alderman Gatsas asked can you give me a specific area of where that is at because I am not sure.

Alderman Roy stated this is the Yard Restaurant right here.

Alderman Gatsas asked does that property abut the hotel.

Mr. Tellier answered no it is not. The parcel right on the corner and this area right here is the hotel and this is the restaurant. This parcel is owned by another single entity so it doesn't abut the hotel. The parcel in question is this one right here. The long, slender industrial lot.

Alderman Osborne asked if rezoned...what is it zoned now and if it were rezoned what would it be worth.

Mr. Tellier answered if it were to be rezoned to accept a residential use obviously it would fetch a higher price. That is not what we are advocating. We are just giving the Committee some information. It is currently zoned industrial.

Chairman Thibault asked that whole section is zoned industrial isn't it.

Mr. Tellier answered yes the abutting properties are all industrial or commercial use.

Chairman Thibault stated I would doubt that they would let residential go in there.

Alderman Gatsas asked what are the other two small pieces.

Mr. Tellier answered that is vacant land and I think the abutting parcel appears to be vacant land as well.

Alderman Gatsas asked who owns that.

Alderman Porter asked is that the King property.

Mr. Tellier answered I think those are King properties.

Chairman Thibault stated we have a motion on the floor to send it to public auction for a minimum bid of \$164,400.

Alderman Osborne asked with a stipulation that it stays industrial.

Alderman Porter answered that is not up to us.

Alderman Roy duly seconded the motion.

Alderman Gatsas stated I think the value should be more.

Mr. Tellier stated the minimum was \$164,000. The range is from \$164,000 to \$246,000. We will leave it to the purview of the Committee. We had sales of \$75,000 an acre and some were higher.

Alderman Porter stated my experience with public auction is that once people get started on bidding it is going to sell for what it is worth but we need people to start the bidding. I would not be against having a discussion and changing the vote to go ahead with a higher value if that is what Alderman Gatsas would like.

Alderman Gatsas stated I think the value should be at least \$225,000 to \$240,000.

Alderman Porter asked may I reconsider my motion. I will move to change the minimum bid to \$225,000.

Alderman Gatsas asked how many acres are there.

Mr. Tellier answered 2.76 acres.

Alderman Gatsas stated industrial land is going from somewhere between...

Alderman Porter interjected it will go higher if we have bidders.

Alderman Gatsas stated you have to remember that this doesn't go as a bid process as you and I would think about it. It is a sealed bid. One bid comes in and that is the end of the conversation.

Alderman Porter replied no it is a public auction. I will still go with the \$225,000.

Alderman Gatsas asked are we going to have to hire an auctioneer.

Deputy Clerk Johnson stated the Tax Collector is here and so is the Solicitor but I would just advise that we do have an auctioneer that handles the City's auctions for them without charging us a fee. The Tax Collector generally works with them. If the Board orders an auction, the Tax Collector carries that out.

Alderman Porter moved to declare the property surplus and send it out to public auction with a minimum bid of \$225,000. Alderman Gatsas duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

Alderman Roy asked before we proceed is it possible from either the Tax Collector or the Solicitor to get a list of properties awaiting...in my months here I know we have done this a number of times but I want to know what properties are awaiting auction. Can I get a list of properties that we have sent to public auction that have not yet been auctioned? We group them basically and when we have a large enough group...

Alderman Gatsas interjected is the Board notified before the auctions happen.

Ms. Porter stated yes. We are compiling a list and I don't have it with me tonight but once we get to eight or nine properties that is when we go to the auctioneer.

Alderman Gatsas asked is there a reason why on a parcel this large we would wait to accumulate five or six.

Ms. Porter answered no. I am sure if I called St. Jean he would go ahead and do that one.

Alderman Gatsas asked how many are accumulated to this date.

Ms. Porter answered I think we might have about six.

Alderman Gatsas stated I think we may want to go with whatever we have now while the market is at least in a somewhat robust...

Ms. Porter interjected I think as long as we have enough that makes it worth his time.

Chairman Thibault asked do you need a motion.

Ms. Porter answered no. Generally once you have approved enough properties I just call St. Jean and tell him we are ready.

On motion of Alderman Roy, duly seconded by Alderman Osborne it was voted to remove Item 16 from the table.

Request from Albertine and Dennis Morrisette to acquire a parcel of land on Trolley Court (Map 897, Lot 145).

Alderman Osborne moved to sell Lot 145 to the abutter for a price of \$10,700. Alderman Porter duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

On motion of Alderman Roy, duly seconded by Alderman Osborne it was voted to remove Item 17 from the table.

Request from Rallitsa M. Kostakis to acquire property on Belmont Street previously owned by Boston & Maine Railroad Company and now owned by the State of New Hampshire (Map 129).

Chairman Thibault stated I believe this falls under the same category as the other two items that we are having Parks and Recreation and the Solicitor's Office come back with a standard policy on.

Alderman Osborne stated this is a railroad. There is no way we could sell this.

Mr. Johnson stated right. We would have to get special dispensation from NH DOT and that is a lengthy process. I think what we are suggesting is we could look at a lease agreement and I think the Solicitor's Office would have to review that also but a lease agreement with a reversionary clause that if the City needs it in the future they can take it back.

Alderman Osborne moved to receive and file.

Alderman Gatsas stated they are looking for a lease agreement.

Mr. Johnson stated right. I think it would fall in the category of the other ones we talked about.

Chairman Thibault asked so we would table it like the others.

On motion of Alderman Porter, duly seconded by Alderman Osborne it was voted to table this item pending a standard policy from Parks & Recreation and the Solicitor's Office.

18. Hackett Hill Master Plan.

This item remained on the table.

19. Downtown Cultural Walking Trail.

This item remained on the table.

On motion of Alderman Roy, duly seconded by Alderman Osborne it was voted to remove Item 20 from the table.

Request from Kenneth DeSchuiteneer on behalf of Mr. Rene Soucy to acquire property on Francis Street (Map 0861, Lots 0023 and 0024.)

Alderman Osborne asked what is the size of the lot.

Chairman Thibault answered Mr. Tellier would be able to...I know something about this because I went up there and looked at it with Tom Nichols. Steve, do you want to tell them about all of the ramifications up there with the easements on the other property and all of that?

Mr. Tellier stated I can't tell you all of the ramifications on this. My understanding is that the City owns a piece that if acquired by the petitioner would add enough frontage with the purchase of a separate piece. It requires septic in that area so a certain amount of land is required to improve that area. There has been some measure of disgruntlement by abutters. I know that Alderman Forest was involved and an abutter was not happy about those two parcels being sold and plotted together and improved upon. I really don't have all of the information and I am not prepared to comment on it to any great degree. We placed a value on it of \$20,000 to \$40,000 because we know that the frontage through plottage and combining with another lot would make it quite valuable but the City's parcel alone would not be enough.

Chairman Thibault stated that is why he has to buy two lots plus he has to give a piece of a lot he is buying to protect a gentleman's easement who has his septic system on a different lot.

Mr. Tellier responded that is my understanding.

Chairman Thibault stated it is a real mess. One guy who owns the land on the other street has his septic system going on another piece of land.

Mr. Tellier stated I think you have an abutter here.

Mr. Peter Sampo stated before you is a map of Joseph Street.

Mr. Tellier asked are you abutting the backside of the lot.

Mr. Sampo answered yes and what I would do would be to consolidate the parcels to protect my real estate asset.

Alderman Gatsas asked so there are two abutters – Lot 24 and Lot 20. Is that what I understand?

Mr. Tellier stated Lot 24 is I believe the subject of discussion. It is the City's property. Lots 23 and 24, I believe, are owned by the City. The gentleman seated next to me owns the property behind it on Joseph Street, which you can see below you – Lots 19 and 20.

Alderman Gatsas asked how many acres are Lots 23 and 24.

Mr. Tellier answered I don't have that in front of me.

Alderman Gatsas stated you have the description there don't you. Lot 23 is not owned by the City.

Mr. Tellier replied no it is Lot 25 that he wants. Lot 25 is the parcel that is owned by the City. Lot 24 is owned by a person called Freitas and Lot 23 is owed by Freitas as well. So Lot 25 is the parcel that the petitioner wants to purchase and he has some sort of agreement with the owner of the other two properties.

Chairman Thibault asked is your land the one that has the septic system that goes into the other lot.

Mr. Sampo answered no.

Alderman Roy asked so Lots 23 and 24 are privately owned and they would like to acquire Lot 25 in order to build a single-family property on this lot per the letter.

Mr. Tellier answered that is my understanding.

Alderman Roy asked does the City own any other land adjacent or abutting this land.

Chairman Thibault stated there is a pond there.

Mr. Tellier stated the City of Manchester owns both Lots 25 and 26 into the pond.

Alderman Roy asked who owns this lot here.

Mr. Tellier answered that is a paper street. I will pan it over again for you.

Alderman Roy stated so that is the Francis Street extension.

Mr. Tellier answered that is correct.

Alderman Roy asked and you don't know the area of Lot 25 and the dry section of Lot 26.

Mr. Tellier answered I am sorry I do not. I don't have that in front of me. I brought most of the other tabled items. This is one I do not have and I apologize for the inconvenience.

Alderman Gatsas asked Mr. Sampo you own which piece.

Mr. Sampo stated right in front of Lot 25. It is the white house with the driveway.

Alderman Gatsas asked is it my understanding that the gentleman who owns Lots 23 and 24 can't build because he doesn't have enough...

Chairman Thibault interjected Lots 23 and 24 are owned by the same guy, Mr. Freitas and the guy who wants to buy Lot 25 wants to buy Lot 24 but he has to buy this in order to be able to put a septic system in and then he has to give an easement to Lot 20 or 19 because he built the septic system going on to the other lot. He is willing to buy that lot and give him that easement that he will never touch it.

Mr. Tellier stated the lot highlighted, Lot 20, our understanding is that septic system runs into that land behind it.

Alderman Roy asked does that garage still exist.

Mr. Tellier answered this is a 1995 aerial photo. I couldn't tell you. I can get back to you but I don't have that information here.

Chairman Thibault stated I think we should really have Mr. Soucy or Mr. DeSchuiteneer here. Were they notified? They were probably not notified. We should leave this on the table and get all of the parties in here.

On motion of Alderman Gatsas, duly seconded by Alderman Porter it was voted to put this item back on the table and have the parties come to the next meeting.

Communication from the Deputy Public Works Director, on behalf of the NH Flying Tigers R/C Club, Inc., requesting use of the Dunbarton Road Sanitary Landfill for model activities.

This item remained on the table.

On motion of Alderman Gatsas, duly seconded by Alderman Roy it was voted to remove Item 22 from the table.

Communication from Dick Dunfey, MHRC, advising that Easter Seals of NH has offered to purchase and develop the French Hall property located on Hackett Hill for the full asking price of \$1.3 million; and further that upon approval by the city of sale, the MHRC would enter into a Purchase and Sales Agreement and prepare a Land Disposition Agreement for sale of the property.

Alderman Gatsas moved to receive and file. Alderman Porter duly seconded the motion. Chairman Thibault called for a vote. The motion carried with Alderman Roy abstaining.

There being no further business, on motion of Alderman Osborne, duly seconded by Alderman Roy it was voted to adjourn.

A True Record. Attest.

Clerk of Committee